

## Campaign Finance

**REMINDER: January Qtly Reports Due Jan 15th**  
Every committee registered with MEC must file a Jan Qtly Report by January 15, 2010. This report should include all activity from the day after your last report through December 31, 2009.

Any report mailed *must* be postmarked by January 14, 2010, the day prior, to be considered timely filed. All electronically filed reports should be received by 5pm on January 15, 2010 (Section 130.046.8 RSMo).



**Committee Registration Deadline:** Remember that all committees must be formed 30 days prior to the election in which they wish to participate with the exception of a continuing committee. A continuing committee must be formed 60 days prior. View the [2010 Campaign Finance Filing Calendar](#) to make sure that your committee is timely formed.

**New Candidate/New Treasurer?** Whether you are new to campaign finance or would like to learn more, sign up for a [training class](#) today!!

**Do I need to form a candidate committee?** Refer to page 4 of the [2010 Guide to Ethics Laws](#).

**Data Import?** Did you know that you can import data from a Microsoft Excel file to your electronic report? [Data can be imported](#) into the following designated reporting sections:

- ✓ Contributions and Loans Received (form CD1 section A)
- ✓ Itemized Expenditures all Over \$100 (form CD3 section B)
- ✓ Contributions Made – Regardless of Amount (form CD3 section C)

See the [Import Training Video](#) for more information.

## Lobbying

**Have You Renewed Your Lobbyist Registration for the 2010 Year?** Each lobbyist *must* renew their status to remain an active lobbyist for the 2010 year by January 5th. Renew electronically via credit card by logging in to the [Lobbyist Electronic Reporting System](#) and clicking on the "Renew Registration" button.

Any lobbyist who has not renewed by January 5, 2010 will have their status as a lobbyist terminated effective December 31, 2009.

If you do not plan on renewing your registration, please note that you are still required to file a December Lobbyist Monthly Expenditure Report by January 10, 2010.



**Lobbyists / Principal Bi-Annual Reports Due March 15th and May 30th** Each lobbyist or lobbyist's principal must file a [List of Principals and Legislative Action](#) form (MO 300-1433) with the Commission by two dates: **March 15th and May 30th**.

The form should include a general description of proposed legislative action; action by the executive branch or judicial branch of government; or by any official agency, board or commission of state government, which the lobbyist or lobbyist's principal supported or opposed. For each due date, only one report is due per principal.

**What is a lobbyist principal?** A lobbyist principal is any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist.

## Personal Financial Disclosure

### PFD Filing Time Is Here For PFD Statements!

Statements are due to the MEC between January 1, 2010 and May 3, 2010.

If your name has been submitted as a required filer, you can [access the form on our website](#), complete, sign, and return to our office.

### Who files an annual PFD statement?

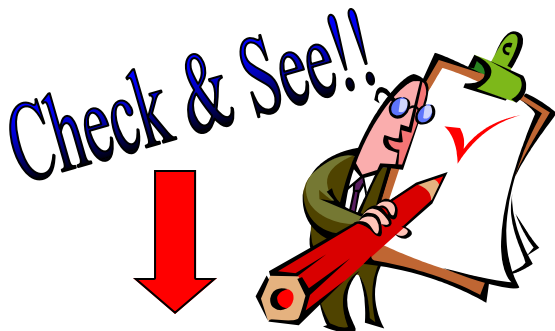
- ✓ [Public officials and candidates](#) for various positions
- ✓ [Candidates & public officials](#) in political subdivisions
- ✓ [Individuals](#) that have been appointed or are newly employed

### What is the time period covered by the statement?

January 1, 2009 through December 31, 2009. If no longer serving, enter the time period you served in 2009.

**Where can I get the PFD form?** Visit our website at [www.mec.mo.gov](http://www.mec.mo.gov) and download the necessary form.

**Can I fax my completed statement?** MEC does not accept faxed forms. An original signature is required.



### View Your Political Subdivision Filers Online.

Political Subdivisions can verify if their designated filers have filed their PFDs. Log into the [Political Subdivision Filing System](#) by using your login information which was previously provided to you.

## Lobbying Question

**When is a lobbyist expenditure reported as a solicitation?** If a lobbyist is asked to expend money on behalf of an elected official; the expenditure is to be reported as a solicitation.

Please refer to Commission [Opinion 1998.05.102](#) for further examples.

## Advisory Opinions

Upon written request, the Commission issues advisory opinions about campaign finance disclosure, conflict of interest, lobbying and personal financial disclosure. Advisory opinions are available on the Commission's [website](#). Below are recently issued opinions:

### Conflict of Interest

[2009.10.CI.004](#)— Can a State Representative have a consulting company and/or be a subcontractor for another consulting company?

[2009.12.CI.005](#)— Can a Mayor be an employee of a company with a contract with the city in which he is the Mayor of?

## Training

**New Online Tutorials Released!** MEC has released 4 new [training tutorials](#) about Lobbying. The tutorials are about lobbyists, their reporting requirements, online resources and using the online filing system.

Within the next week MEC will release 2 new campaign finance [training tutorials](#). Be sure to check our website regularly.

Upcoming training sessions in Jefferson City for Campaign Finance Record-Keeping and Reporting: Jan 7<sup>th</sup>, Feb 4<sup>th</sup>, and Mar 3<sup>rd</sup> 2010. The 2½ hr sessions are from 9:30 am - 12noon and from 1:30pm - 4pm. Reserve your seat by sending an [email](#) today.

Several regional training sessions for new candidates have been scheduled around the state. [View the training schedule](#). If you would like to host a new candidate training session in your area, please [let us know](#).

# MEC News

April 2010  
Volume 6  
Page 1

Julie Allen, Executive Director

[www.mec.mo.gov](http://www.mec.mo.gov)

## Commissioner News

**Commissioner News** Michael S. Kilgore, Ken Legan, and Brad Mitchell's Commissioner terms expired March 15, 2010. Thanks for their service! Jim Wright and James R. Tweedy were elected as the Commission chair and vice chair, respectively. On March 25, 2010, Dennis Rose, Democrat, from the 1<sup>st</sup> Cong. District, was appointed to the [Commission](#).

## Campaign Finance

**April Qtly Reports Due April 15<sup>th</sup>** Report all activity from the day after the committee's last report through March 31<sup>st</sup>. It must be postmarked by Apr 14<sup>th</sup>; if electronically filing, the filing should be completed by 5 pm on Apr 15<sup>th</sup> (Section 130.046.8, RSMo).

*Committees who filed an 8 Day Before Election Report (for Apr 6), must still file an Apr Qtly Report!* (Section 130.046.3, RSMo)

**30 Day After Election Report Due May 6<sup>th</sup>** Committees participating in Apr 6<sup>th</sup> election, must file. Report all activity from the date after the committee's last full disclosure report through May 1<sup>st</sup>. (Section 130.046.4,6,RSMo)

**Unsuccessful Candidates and Campaign Committees** You must terminate the committee within 30 days after the election or upon satisfying any outstanding debt! If a candidate committee's debt > \$ on hand, the committee may be converted to a debt service committee. Debt service committees can *only be used* to repay the committee's debt. (Section 130.011(9), RSMo)

**Statement of Committee Organization** *Check to make sure it is complete!* A new [Statement](#) must include the bank's name, address, account name (not type), and account #. For candidate committees, remember to complete lines 16 and line 18.

## Campaign Finance *cont.*

**Committee Registration Deadline** Register no later than 20 days from forming a committee and no later than 30 days before the election (except for continuing committees, which must be formed no later than 60 days before). To register, complete a Statement of Committee Organization. Deadline for the August 3<sup>rd</sup> primary election: continuing comm's – June 4<sup>th</sup>; all other – July 4<sup>th</sup>.

**Committee Fundraising Activities** Our website lists [A Guide for Candidate Fundraising Activities in Missouri](#) that will inform you of the proper guidelines of holding a fundraiser.

It shall be a violation of this chapter for any committee to offer chances to win prizes or money to persons to encourage such persons to endorse, send election material by mail, deliver election material in person or contact persons at their homes; except that, the provisions of this subsection shall not be construed to prohibit hiring and paying a campaign staff. (Section 130.031.12) Be sure to consult an attorney, the state constitution, and state laws before using gaming as a campaign fund raiser. The Attorney General's website has information pertaining to [gambling, lotteries and raffles](#).

## Complaints

**Is there a time frame where the Commission cannot accept a complaint related to a candidate?**

(Section 130.054, RSMo.) **Yes**, the Commission cannot accept a complaint alleging misconduct on the part of a candidate for public office, other than an allegation of failure to file timely and accurately, a Personal Financial Disclosure statement or campaign finance disclosure reports, within 60 days before the primary election until after the general election. The Commission may not accept a complaint filed against a candidate or candidate committee within 15 days prior to the primary or general election in which the candidate is running for office.

## Lobbying

**New Lobbyist FAQ Coming Soon!** Check back later on our [website](#) to view. **Lobbyists / Principal Bi-Annual Reports Due March 15th and May 30th**

## Personal Financial Disclosure

**PFD Filing Deadline is just around the corner!** Statements can be mailed or hand delivered and must contain an original signature. **No faxes are accepted.**

### When is my PFD due?

- ✓ Candidates in the August 3, 2010 election:  
Hand delivered by April 13, 2010 or post marked by April 12, 2010
- ✓ Annual Filers: Hand delivered by May 3, 2010 or postmarked by May 2, 2010.

### What is the time period covered by the statement?

- ✓ Annual Filer—01/01/09—12/31/09
- ✓ New Candidate—03/30/09—03/30/10
- ✓ Incumbent Candidate—01/01/09—03/30/10
- ✓ No longer serving—enter the time period you served in 2009

**I am a candidate who has already filed a PFD, this year, for another position I hold. Do I need to file another PFD?** An individual is required to file only one PFD annually. The time period required to be covered by a candidate may be different from an annual filer. You must file an amended PFD *if* you have additional information you need to disclose.

**Where can I get the PFD form?** Visit our website and download the necessary [form](#).

**Political Subdivisions** - Would you like to know if your designated filers have submitted their forms? Go to website and log into the [Political Subdivision Filing System](#) by using your login information to check the filing status of your required filers.



Receive Commission information, upcoming deadlines, and other news. Follow us at [MOEthics](#).

## Advisory Opinions

Upon written request, the Commission issues advisory opinions about campaign finance disclosure, conflict of interest, lobbying and personal financial disclosure. Advisory opinions are available on the Commission's [website](#). Below are recently issued opinions:

### Conflict of Interest

[2010.03.CI.001](#) — Can a state legislator, who is also the paid director of a local nonprofit agency, meet with their own local city and county officials regarding various issues within their district?

[2010.03.CI.003](#) — Can a Mayor be an employee of a company with a contract with the city in which he is the Mayor of?

### Campaign Finance

[2010.03.CF.002](#) — Can employees request to have payroll deductions made to a continuing committee?

### Lobbyist

[2010.03.L.004](#) — How are group expenditures reported by a lobbyist?

## Training

### New Online Webinars for Campaign Finance

Two sessions: Record-Keeping and Reporting. Check the [Training Schedule](#) for available dates and to register.

Remember to check the [Training Schedule](#) for regional training. We have several upcoming **New Candidate Training** sessions scheduled throughout the state. If you would like to host a training session in your area, please let us know.

**New Campaign Materials Identification Requirements Tutorial** The [Campaign Materials Identification Requirements Tutorial](#) is only 10 minutes long and provides a great overview of the “paid-for-by” requirements for printed material.

### Guide to Record-Keeping Booklet

Now available on the website. Download a printable version of the [Guide to Record-Keeping Booklet](#).



## Legislative Update

**Ethics Bill SB844 Passes Legislature** On May 14, 2010 Senate Bill 844 passed both the House and Senate. This bill contains changes to Missouri's ethics and campaign finance laws. Bills which are passed by the Legislature and then signed by the Governor will go into effect August 28, 2010. You may view the Truly Agreed and Finally Passed version of Senate Bill 844 on our [website](#). The Commission is currently reviewing the bill's provisions and will communicate with the committees, individuals, and public officials affected by the new provisions.

## Campaign Finance

**July 15th July Qtrly Report Deadline** Required for all committees. Report all activity from last report through June 30th. Postmark by July 14th—electronic filers file by 5 p.m. on July 15th. (Section 130.046.8, RSMo).



### Aug 3rd Primary Election Deadlines:

**8 Day Before Election Report—July 26th** All committees participating in Aug 3rd election; covers the committee's activity from last report through July 22nd. (Section 130.046.1(1), RSMo)

**24 Hour Late Notice of Late Contributions/Loans Received** Receipt of contribution (or loan) > \$250 between July 23rd—Aug 2nd; must be reported within 24 hours of receipt, by any written means and also reported on next subsequently filed full disclosure report. (Section 130.050.3, RSMo)

**24 Hr Late Expenditure Report** A continuing committee, between July 23rd—Aug 2nd, making total expenditures other than contributions to a committee of \$250 or more must file a 24 Hour Late Expenditure Report within 24 hours after making the expenditure. (Section 130.046.3(2), RSMo)

## Campaign Finance Q&A

**Who Must File A 15-Day After Petition Deadline Report?** (Section 130.046.2, RSMo) A committee, other than a continuing committee, that is raising or spending \$ for a ballot measure to be qualified on the ballot by initiative/referendum petitions *or* recall petition seeking to remove incumbent from office must:

- ✓ File an initial disclosure report 15 days after committee begins process of raising or spending \$; time period begins on day committee 1st accepted or spent \$ to support or oppose petition effort & ends on the 5th day before the report's date.
- ✓ After initial report, committee must file reports as required in Section 130.046 and Chapter 130, RSMo.
- ✓ File a 2nd disclosure report no later than the 15th day after the deadline date for submitting the petition.



## Complaints

**Is there a time frame where the Commission cannot accept a complaint related to a candidate?**

(Section 130.054, RSMo.) **Yes**, the Commission cannot accept a complaint alleging misconduct on the part of a candidate for public office, other than an allegation of failure to file timely and accurately, a Personal Financial Disclosure statement or campaign finance disclosure reports, within 60 days before the primary election until after the general election. The Commission may not accept a complaint filed against a candidate or candidate committee within 15 days prior to the primary or general election in which the candidate is running for office.

## Lobbying

**Lobbyists' Monthly Expenditure Report** Lobbyists' expenditures are reported by the 10th of the following month. Remember to keep your receipts of when the expenditure occurred rather than relying on credit card statements for expenses and amending previously filed reports.

## Personal Financial Disclosure

**Political Subdivisions' Annual Operating Budget/Required Filers List** In July, the Commission will request by mail, the filing of your Annual Operating Budget (AOB) and Required Filers List. [Electronically](#) submit this information using the your subdivision ID and password provided in the mailing.

### What information do I submit?

- ✓ Submit whether your AOB is under \$1 million dollars or over \$1 million dollars.
- ✓ If your AOB is over \$1 million dollars, electronically update the list of individuals required to file a Personal Financial Disclosure statement. This information will include their name, position, mailing address, and end date, if no longer serving in this position. You will also add any newly required filers and update any incorrect information in the system.

**Ordinance Adoption** A political subdivision may adopt an ordinance biennially, at an open meeting, by September 15th. A signed copy must be filed with the Missouri Ethics Commission within 10 days of its adoption. Section 105.484.5 RSMo provides the minimum requirements for the Ordinance, [a sample](#) is provided on our [website](#).

### Sample Code of Ethics

The following is a sample of a policy pertaining to conflicts of interest. This policy meets the minimum requirements outlined in Section 105.484.5 RSMo. It allows each political subdivision the option of adopting their own code of interest and personal financial disclosure. If your subdivision chooses to require that this be adopted every other year by September 15th. A certified copy must be filed with the Missouri Ethics Commission within 10 days of adoption.

## Coming Soon

**It's Here! - Commission Cases—Final Action Search** This new search shows the Commission's final actions related to investigations involving:

- Campaign Finance
- Conflict of Interest
- Lobbyists
- Personal Financial Disclosure
- Constitution, Statutes, Orders or Ordinances

Individuals can search for the Commission's final actions by the action date, respondent, committee or organization, and city or county. Data is available on this search as of January 1, 2010. Prior Commission actions can be viewed on the website under Commission meetings.

The Commission's online *Case Action Search* can be accessed at [www.mec.mo.gov](http://www.mec.mo.gov) under Commission Actions or Common Searches.

A screenshot of the 'Commission Case Action Search' web form. The form includes a 'Please note' section stating data is only available as of 1/1/2010. It features three main steps: Step 1 - Limit Your Search by Year (optional), Step 2 - Limit Your Search Period (optional), and Step 3 - Specify Your Search By (required). Step 3 includes fields for 'Complaint Category', 'Name of Respondent / Organization or Committee', 'Last Name', 'First Initial', 'County or City of Respondent', and 'County Name'. There are also 'Search' and 'Clear Page' buttons at the bottom.

## Tech Talk

**Tips for using our web site at [www.mec.mo.gov](http://www.mec.mo.gov)**

**Pop Up blocker** – Be sure and allow pop-ups when searching our web site. Many search functions open results in a new window or “pop-up”. This is to help ensure that you don’t lose your place within the web-site.

Can’t find what you’re looking for? Use the site search feature located in the upper left hand corner of each page.

MEC is now on twitter – follow us now at <http://twitter.com/MOEthics>.

**Q: Are federal PACs that contribute to Missouri committees required to register as out-of-state committees under Missouri law?** A: No, as long as the federal political action committee is in compliance w/ the FEC. (11CFR108.71, 208 USC 439)



## Lobbying

**Lobbyists' Monthly Expenditure Report** Effective Aug 28th, [SB844](#) contains specific changes related to lobbyist reporting requirements.

- ✓ Lobbyist must report the location of a group expenditure;
- ✓ The definition of group expenditure is expanded to include statewide officials and the staff of a public official;
- ✓ Specifies that if a lobbyist is found to knowingly omit, conceal, or falsify any information required to be reported will be guilty of a class A misdemeanor.

**Lobbyist Renewals** Between December 1st and January 5th each lobbyist must renew their lobbyist status and submit their \$10 annual registration fee to remain an active lobbyist for the 2011 year. Look in your inbox later this year for more information.

## Personal Financial Disclosure

**Gubernatorial Appointments** SB844 requires gubernatorial nominees requiring Senate confirmation to file a Personal Financial Disclosure statement and submit a list of political contributions, made within the previous 4-year period, to the Senate.

**MECs upgraded electronic filing system for political subdivisions has been a HUGE success.** All political subdivisions can file their annual operating budget (AOB) and required filer's list on our website. The upgrades have made the system so user friendly that 89% of all AOBs and 99.7% of all required filer's lists have been submitted electronically.

## Tech Talk

**Commission Retools Candidate Search** The Commission retooled the *Registered Candidates and Candidate Committees* search. [Use this search](#) to see the candidates and their campaign finance committees registered with the Commission for the November 2nd election.

### Commission Training on Campaign Finance, Lobbying, and SB844

View our [web tutorials](#) and the training schedule for webinars and in-person seminars.

**HAPPY HALLOWEEN**



## Advisory Opinions

Upon written request, the Commission issues advisory opinions about campaign finance disclosure, conflict of interest, lobbying and personal financial disclosure. Advisory opinions are available on the Commission's [website](#). Below are recently issued opinions:

### Campaign Finance

**2010.08.CF.003**— An association which acts as an authorized agent for a campaign finance committee for receipt of contributions for its members. **2010.08.CF.004**—A PAC which received pay for the goods or services at fair market value from another PAC as part of a business transaction.

## Complaints

**Is there a time frame where the Commission cannot accept a complaint related to a candidate?**

(Section 130.054, RSMo.) **Yes**, the Commission cannot accept a complaint alleging misconduct on the part of a candidate for public office, other than an allegation of failure to file timely and accurately, a Personal Financial Disclosure statement or campaign finance disclosure reports, within 60 days before the primary election until after the general election. The Commission may not accept a complaint filed against a candidate or candidate committee within 15 days prior to the primary or general election in which the candidate is running for office.

## Coming in 2011

**New User Interface—Campaign Finance** Filers will see a new user interface in 2011. The new interface will guide the user through the filing process, provide help text for each area, and perform system edits to improve reporting. Changes in the database will improve the public's search capabilities when looking for candidate, committee, & contributor's names and information.

**PFD Electronic Filing System** Coming in the Spring of 2011, individuals required to file their Personal Financial Disclosure (PFD) each year will be able to file electronically. You'll be able to view the PFD you filed last year, experience easy-to-use interface, and have user help at your fingertips. Stay tuned for more information!

**Training** New campaign finance web tutorials for county clerks and other election authorities as well as web tutorials for local elected officials and the state legislature.